

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

CIDRA METALLIC CASKET INC.

Debtor

CASE NO.

CHAPTER 11

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**APPLICATION FOR APPOINTMENT OF COUNSEL**

TO THE HONORABLE COURT:

COMES NOW, CIDRA METALLIC CASKET INC., and respectfully shows and prays:

1. That subject case was filed under Chapter 11 of the Bankruptcy Code.
2. The Debtor wishes to employ the law firm of LÁTIMER, BIAGGI, RACHID & GODREAU, LLP, (the "Firm") whose attorneys are duly admitted to practice in this Court, to represent it in this case.

3. Section 327(a) of the Bankruptcy Code provides as follows:

"§ 327. Employment of Professional Persons.

(a) Except as otherwise provided in this section, the trustee, with the court's approval, may employ one or more attorneys, accountants, appraisers, auctioneers, or other professional persons, that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustees' duties under this title."

4. The Firm's address is as follows:

Physical location:

Edif. First Bank

Avenida Ponce de León No. 1519

Piso 12 Suite 1205

Santurce, Parada 23, PR 00909

Tel: (787) 724-0230/Fax: (787) 724-9171

Mailing address:

PO Box 9022512

San Juan, PR 00902-2512

E-Mails: dgodreau@lbrglaw.com

rgonzalez@lbrglaw.com

alopez@lbrglaw.com

5. The selection of the Firm has been based on their long time practice as Attorneys in the Jurisdiction of the Commonwealth of Puerto Rico, as well as their experience in bankruptcy proceedings.

6. The members of the Firm are "disinterested persons", as said term is defined in 11 USC 101 (14), which definition is incorporated herein by reference, do not represent any creditor in this case or any interested party herein, nor for any one acting on their behalf, whose interest may be adverse to debtors' estate, have no connection with debtor, nor with their respective attorneys and accountants, nor with the U.S. Trustee's office, nor with any person employed in the office of the U.S. Trustee and represent no adverse interest to the estate herein.

7. Although the Firm represents Firstbank of Puerto Rico, the same creates no conflict of interest regarding the representation of the Debtor. Firstbank is not a creditor of the Debtor.

8. In compliance with 11 USC 327 and 504 of the Bankruptcy Code, a certificate executed by Mr. David Godreau Zayas, Esq., is attached to this application.

9. If the appointment of the Firm as general counsel is approved by this Honorable Court, he will be retained by the Debtor on an hourly basis at the rate of \$150.00 hour for Partners in the Firm, plus reasonable expenses. All associates from the aforesaid law firm will bill on the basis \$125.00 per hour plus expenses. Payment of the Firm's fees shall only be made upon application to and approval by this Honorable Court as provided by Section 331 of the Bankruptcy Code and other applicable provisions.

10. The Debtor believes that the proposed rate is reasonable for these advisors whose capabilities and reputations are excellent.

11. The Debtor has no prepetition debt with the Firm, and the Firm has agreed to waive any pre-petition debt if one existed.

WHEREFORE, based on the foregoing, it is respectfully requested that the Trustee be granted leave to retain the professional services of Latimer, Biaggi, Rachid & Godreau, LLP, as hereinbefore stated.

#### NOTICE

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or

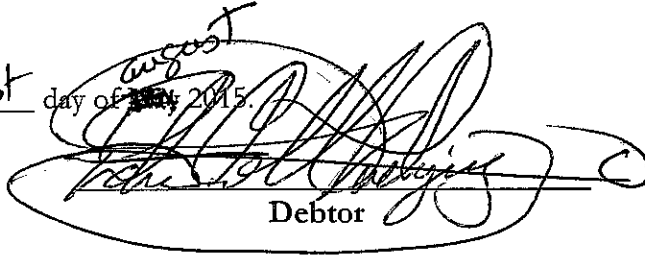
other appropriate response to this paper with the clerk's office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the court, the interest of justice requires otherwise.

**CERTIFICATE OF ELECTRONIC FILING AND SERVICE**

I hereby certify that on this same date a copy of this motion has been electronically filed with the Clerk of the Court using the CM/ECF system which will send notifications of such filing to Debtor's attorney, to the Chapter 11 Trustee, to the Office of the U.S. Trustee, to Debtor's Attorney, to all CM/ECF participants.

Respectfully submitted.

In San Juan, Puerto Rico, this 1st day of ~~July~~ <sup>August</sup>, 2015.

  
Debtor

### CERTIFICATE OF PROPOSED COUNSEL

I, David Godreau Zayas, do hereby certify under penalty of perjury that the following is true and correct:

1. I am an attorney at law, admitted to practice before the Courts of the Commonwealth of Puerto Rico, before the United States District Court for the District of Puerto Rico and before the United States Court of Appeals for the First Circuit.

2. The Undersigned is part of the Law Firm of Latimer, Biaggi, Rachid & Godreau, LLP (the "Law Firm"), with offices located at First Bank Building No. 1519, Ponce de Leon Ave, 12<sup>th</sup> Floor, Suite 1205, Santurce, Parada 23, PR 00909, with mailing address at P.O. Box 9022512, San Juan, P.R. 00902-2512, Tel.: (787) 724-0230, Fax: (787) 724-9171.

3. That to the best of my knowledge and belief, the Law Firm, undersigned and the employees of the Law Firm are "disinterested persons", as said term is defined in 11 USC 101 (14), do not represent any creditor in this case or any interested party herein, nor for any one acting on their behalf, whose interest may be adverse to debtor's estate, have no connection with debtor, nor with their respective attorneys and accountants, nor with the U.S. Trustee's Office, nor with any person employed in the Office of the U.S. Trustee and represent no adverse interest to the estate herein.

4. Although the Firm represents Firstbank of Puerto Rico, the same creates no conflict of interest regarding the representation of the Debtor. Firstbank is not a creditor of the Debtor.

5. That the Law Firm and the undersigned have agreed to act as General Counsel for the Trustee in the bankruptcy case, in notarial matters and to file any state, federal or adversary proceeding needed in this case, on an hourly basis at the rate of \$150.00 per hour, plus actual cost and expenses. All associates from the aforesaid law firm will bill on the basis \$125.00 per hour plus expenses. Payment of said fees shall only be made upon application to and approval by this Honorable Court as provided by Section 331 of the Bankruptcy Code and other applicable provisions.

5. The undersigned believes that the proposed rate is reasonable for the Law Firm whose capabilities and reputations are excellent.

6. There are no agreements on the part of the Law Firm or the undersigned attorney for the sharing of any of the compensation to be received in regard to the services to be rendered to the Trustee.

7. Enclosed is the Curriculum Vitae of the undersigned.

8. I will amend this statement immediately upon my learning that: (a) any of the representations made herein are incorrect, or (b) there is any change of circumstance relating thereto.

9. The Debtor has no pre-petition debt with the Law Firm, and the Firm hereby agrees to waive any pre-petition debt if one existed.

10. I have reviewed the provisions of LBR 2016-1.

11. I declare under penalty of perjury that the foregoing is true and correct, as provided in 28 U.S.C. §1746.

In San Juan, Puerto Rico, this 15<sup>th</sup> day of August 2015.



DAVID GODREAU ZAYAS  
U.S.D.C. - PR 123207  
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[dgodreau@brglaw.com](mailto:dgodreau@brglaw.com)

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### Education

1976

- Catholic University of Puerto Rico  
Magna Cum Laude

- Admitted to Practice Law in Puerto Rico

1977

- Admitted to Practice as Notary Public

1979

- Admitted to Practice Before the United State of Court of Appeals for First Circuit

1981

- Admitted to Practice Law before The Supreme Court of the United States

### Experience

1977-1982

- Practice Law at Ramirez & Godreau

Attorney

Act as Subdirector for the Legal Services of Puerto Rico is Office at Juana Diaz

1982-1984

Acted as Law Clerk for the Honorable W. H. Beckerleg before the Bankruptcy Court of the District of Puerto Rico

1988

- Partner in Latimer, Biaggi, Rachid & Godreau till present

Dedicated mostly to Bankruptcy Law and Banking Law Activities

### Association & Membership

- Former President of the PR Bankruptcy Bar Association  
Former Member to the Local Bankruptcy Rules Committee  
Member of the Puerto Rico Br. Bar Association  
Member of America Bankruptcy Institute

F. DAVID GODREAU ZAYAS, ESQ.

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Some of our clients have been:

Firstbank Puerto Rico  
Fund. Dr. Manuel de la Pila Iglesia, Inc.  
Federal Department of Housing and Urban Development (HUD)  
Hospital Pavia, Inc.  
RIMCO, Inc.  
El Comandante Management Company, LLC  
Hospital General San Carlos  
Hospital El Buen Pastor, Inc.  
Mayaguez Advance Radiotherapy Center  
Ranger American, Inc.  
Hospital Wilma N. Vazquez, Inc.  
Mepsi Center  
Ms. Noreen Wiscovitch As Trustee